



Developmental Disabilities Program

Self-Direct With Employer Authority Option



Employer Handbook

*(Content adapted from Louisiana's Self-Direction
Option Employer Handbook)*

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Self-Direct with Employer Authority Overview

The Self-Direct with Employer Authority option is a service delivery option which allows the participant/authorized representative to become the employer of the people he/she chooses to hire to provide supports for him/her. The employer is responsible for recruiting, training, supervising, and managing the staff he/she chooses to hire. This option gives people in services the most control over their supports, but also places the most responsibility on them.

The Self-Direct with Employer Authority option is based on the principles of self-determination, which means that the participant has the ability or right to make his/her own decisions, and includes the following:

- WHAT- Services and supports you receive based on your assessed needs.
- WHEN – services are provided to you.
- WHO – Provides services to you.
- HOW- Services are provided to you.

With the Self-Direction Employer Authority option, the participant controls the amount spent on wages and benefits for employees within the guidelines established by the program. The case manager will assist the participant in budgeting for payments of wages, required employment-related taxes, and fiscal agent fees.

The case manager will provide the participant with initial information on Self-Direction with Employer and will continue to assist the participant with the development of the Plan of Care, budget planning, ongoing evaluation of supports and services, and organizing the unique resources that the participant needs.

A fiscal agent will help the participant conduct the business of self-direction. The fiscal agent will process payroll for the participant's employees and make the required tax withholdings and deposits with state and federal agencies on the participant's and employee's behalf. The fiscal agent will send the participant/employer reports of their spending so that the participant can keep track of the amount of service hours used and the amount of money remaining in the individual cost plan.

Except in specific cases, when the service requires the employment of staff the participant/employer is expected to obtain the services of a paid Support Broker or have someone who can perform Support Broker duties (pass the same test) in an unpaid capacity for the first year after enrollment. The role of the Support Broker is to assist in the management of any self directed services, so the Planning Team may agree that a Support Broker is a good option to help with other services that don't require staff, like adaptive equipment as an example. The Support Broker has distinct duties separate from those performed by the case manager. Support Brokers provide only as much service as agreed upon by the planning team.

No self directed service expenses may be incurred prior to:

- The approval of the participant's Plan of Care and Individual Cost Plan (ICP).
- The fiscal agent ensuring that the self direct enrollment forms found in the Start-Up Packet are complete and the participant is notified that potential employees have met the eligibility criteria and are clear for hire.

The participant may choose to leave the Self-Direct with Employer Authority option at any time by contacting their case manager.

If the participant chooses to enroll in the Self-direct Employer Authority option they must remain with their provider agency for at least 90 days (3 months), unless otherwise agreed upon per the Porting Policy.

Differences in the Self Directed Service Delivery Models

Questions Regarding Self Direct Service Delivery Models	Employer Authority Option - (Participant or Authorized Representative as Employer)	Agency With Choice Option - (Agency as Employer)
Who is the legal employer?	Participant or Authorized Representative	Provider Agency
Who is responsible for hiring, training, scheduling, and dismissing employees?	Participant or Authorized Representative with assistance from Support Broker.	Provider Agency with input from the Participant or Authorized Representative
Who is responsible for payroll functions, withholding and depositing employment related taxes?	Fiscal Agent	Provider Agency
Who determines the wages for the employee(s)?	Participant or Authorized Representative with assistance from Support Broker.	Provider Agency
Who performs criminal background checks and ensures that potential employees are eligible for hire?	Fiscal Agent	Provider Agency
Who is responsible for the provision of Workers' Compensation?	Fiscal Agent	Provider Agency
Who is responsible for developing a back-up plan when employees are not available?	Participant or Authorized Representative, Support Broker and Case Manager.	Provider Agency
Who is responsible for monitoring service delivery?	Participant or Authorized Representative, Case Manager, and Quality Improvement Specialist with possible assistance from the Support Broker	Participant or Authorized Representative, Provider Agency, Case Manager, and Quality Improvement Specialist
Who is responsible for managing and monitoring the self direct budget?	Participant or Authorized Representative with assistance from the Support Broker and Case Manager	Case Manager and Provider Agency



Choosing Self-Direct With Employer Authority Option

The participant is informed of the Self-Direct with Employer Authority option by the case manager at the time of waiver enrollment, annually, and as requested by the participant/authorized representative. If the participant is interested in Self-Direction with Employer Authority, the planning team will discuss the differences between self direct service delivery options, roles and responsibilities of each option, and benefits and risks associated with Self-Direction.

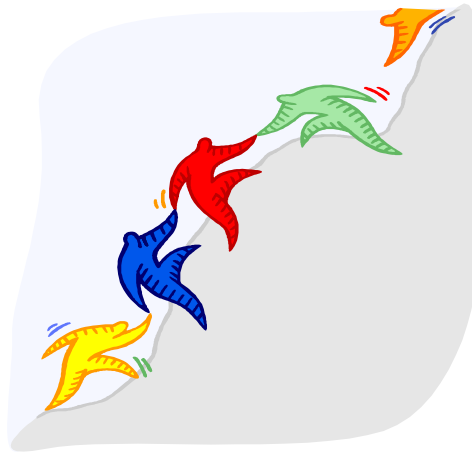
To be considered for the Self-Direct with Employer Authority option, the participant must:

1. Be receiving DDP Medicaid waiver funded services.
2. Live in their natural home or private residence in which the participant's choice of service, support worker and schedule of service delivery would have no adverse effect on another participant receiving waiver services.

Note: *Eligibility for this choice does not include services in congregate settings such as group homes, where staff are responsible to provide direct care services to more than one participant at the same time.*

Once the planning team agrees on participation in the Self-Direct with Employer Authority option, the case manager will ensure that the participant receives a copy of the Self-Direct with Employer Authority option Handbook (this handbook) and fiscal agent Start-Up Packet. The following activities will then be completed for a future start date:

- The Case Manager will help the planning team determine what supports and services the participant will need to Self-Direct With Employer Authority (more on page 26)
- The Case Manager will notify the provider agency, as necessary, of the participant's intent to port to Self-Direction.
- The Case Manager will develop the Individualized Cost Plan (ICP). (more on page 28)
- The Support Broker (if agency employed), Case Manager, or fiscal agent will assist the participant with completing the required fiscal agent forms in the Start-Up Packet.
- The fiscal agent will inform the participant of the projected start date for employees to begin.



Determining Who Is the Employer

The “**EMPLOYER**” is the person that must be recorded by and registered with federal and state government agencies as the employer for legal purposes.

The “**PARTICIPANT**” is the participant receiving services. The participant may also be the employer.

For a **MINOR** aged **PARTICIPANT** (a participant under the age of 18), the **EMPLOYER** can be:

- the **parent**, or ***family member by definition**, of a minor aged individual participant, or
- the court appointed **guardian** of the participant, or
- the **authorized representative** of the participant, or
- the **participant**, if married or emancipated by the court.

For an **ADULT** aged participant (a participant age 18 or more), the **EMPLOYER** can be:

- the **PARTICIPANT**, or
- an **authorized representative** which may make decisions on behalf of the participant, or
- the court appointed **guardian** of the participant, or
- the **authorized representative** designated by the participant.

***FAMILY MEMBER** is: “natural parents, adoptive parents, licensed foster parents, grandparents, step-parents, sibling, aunt, uncle, guardians and an individual who has a legally granted conservatorship or properly executed power of attorney responsibility for overseeing the disabled persons finances or general care.”



Employer Responsibilities

As an Employer in Self-Direction, the participant or authorized representative has additional benefits and responsibilities that are not a factor when using traditional provider agency services.

- The participant/representative has the benefit of hiring workers they choose, setting the hourly pay rate for employee(s), within the guidelines established by the Developmental Disabilities Program, and determines employee schedules.
- The participant/representative also has the responsibilities that come with being an employer. Although there can be assistance to help, the additional employer responsibilities are:
 - ✓ Recruit, hire, train, manage, and if necessary, dismissing employee(s).
 - ✓ Abide by non-discrimination laws and policies on the basis of race, religion, gender, sexual orientation, age, or disability.
 - ✓ Complete all employer-related paperwork and the duties related to timesheets and payroll.
 - ✓ Review payroll reports upon receipt to ensure that it is accurate. If not accurate, report the differences to the fiscal agent.
 - ✓ Ensure that employees complete the required service documentation, such as progress notes and timesheets.
 - ✓ Maintain all required documentation as specified in Section II: Service Planning and Documentation Requirements, “Record Maintenance Requirements”.
 - ✓ Ensure that employees maintain the current training requirements. A copy of each employee’s current training requirements must be on file with the fiscal agent in order for the employee to be paid for working with the participant.

- ✓ Establish a mutually agreeable work schedule for employees. The employer will be personally responsible for any employee wages or supports that exceed the hours approved in the Plan of Care and/or service specifications, or if employees start work without proper notification from the fiscal agent.
- ✓ Establish a list of tasks to be performed by employees. The participant's employees' tasks must correlate, or compare, with the service specifications for the service that they are providing and with his/her approved Plan of Care.
- ✓ Follow the parameters, or limits, set in the participant's approved Plan of Care.
- ✓ Meet all his/her staffing needs.
- ✓ Have a functional, or working, back-up plan in place in the event that an employee does not show up for work.
- ✓ Inform the fiscal agent immediately if an employee is injured on the job.
- ✓ Inform the fiscal agent when an employee is dismissed.
- ✓ Wait until the fiscal agent clears the participant's potential employees for hire before the participant allows them to do any work for the participant.
- ✓ Participate in required training as requested by the Developmental Disabilities Program (DDP).
- ✓ Maintain his/her Medicaid eligibility.



Supports Available to Assist Employers

Case Management

All participants receiving DDP waiver services are provided case management from a DDP employed or DDP contracted Case Manager. When a participant chooses to self-direct with Employer Authority, the participant's Case Manager will continue to assist with the development and management of his/her Plan of Care and with gaining access to needed services including medical, social, educational, and other supports as identified. The Case Manager will monitor the implementation of the participant's Plan of Care and ensure appropriate follow-up occurs when problems arise in providing all services and supports as outlined in the Plan of Care.

Case Managers are responsible for:

- Completing initial and periodic reassessment of the participant to determine needs including taking client history and gathering information from a wide range of sources.
- Conducting MONA assessments for evaluation of resource levels when significant changes occur.
- Providing crisis intervention and management for participants when needed.
- Providing assistance and information in completing the Waiver 5 freedom of choice and consent form.
- Providing information about various settings for service delivery: facility-based, congregate care, community based, personal home.
- Providing information about all service options: traditional agency based, self-directed with agency support, self-directed with employer authority.
- Developing and periodic revising of the Plan of Care, specifying outcomes based on assessment of needs, ensuring active participation of the participant and others.
- Making referrals to link the participant with providers or other programs and services and assisting in scheduling those appointments for the participant.

- Monitoring and follow-up of activities through personal contact with the participant, family, providers, or other entities as frequently as necessary to ensure implementation and adequacy of all supports and services in accordance with the Plan of Care.
- Development and monitoring of cost plan and individual budgets.
- Coordinates information sharing with appropriate entities.
- Ensuring the participant's needs are being met through all services.
- Assisting the participant with making changes to his/her Plan of Care if his/her needs change.
- Assisting the planning team in determining what supports and back up strategies are needed to participate in Self-Direct with Employer Authority option (e.g. minimum number of workers needed, access to fax machine or internet, what areas of focus the Support Broker will address).

Support Brokers

Support Brokerage services assist the participant (or the participant's family or representative) in arranging for, directing, and managing services that are self-directed. They assist the participant in identifying and developing self-directed community resources. The Supports Broker provides supports in ways that are flexible and responsive to the participant. A Supports Broker is specially trained and certified to assist participants who Self-Direct their services with Employer Authority.

Supports Brokers may be employees of the participant who is self-directing services (or the participant's family or representative). Supports Brokerage is also available as an agency based service but any agency providing this service may not provide other DDP funded supports to the participant.

Except in specific cases, when the service requires the employment of staff the participant/employer is expected to obtain the services of a paid Support Broker or have someone who can perform Support Broker duties (pass the same test) in an unpaid capacity for the first year after enrollment. The participant's planning team will review the need for services of a Supports Broker at each annual Planning meeting and what specific activities the Supports Broker will perform (within the service definition). Exceptions may be made for the following cases:

- Participants/employers who have been successfully self directing respite prior to January 1, 2012;
- Who receive support from unpaid persons (family members, representatives, etc.) who have passed the Support Broker test.
- Participants who are self directing a non-employee service such as adaptive equipment or individual goods.

Supports provided by Supports Brokers can include:

Providing Information to the Participant About:

- The person-centered planning process and how it is applied in Self-Direction with Employer Authority.
- The range and scope of individual choices, and options in Self-Direction with Employer Authority.
- The process for changing the plan of care and individual budget.
- Risks and responsibilities associated with Self-Direction and decision making with Employer Authority.
- Individual rights.
- Self-direction limitations or restrictions.
- Other subjects pertinent to the management and directing of Self-Directed services with Employer Authority.
- All Developmental Disabilities Program rules, policies, and procedures as they relate to Self-Direction with Employer Authority.

Providing Assistance to the Participant With:

- Defining the participant's goals, needs, and preferences in preparing for the development of the participant's Plan of Care.
- Developing practical skills training in hiring, arranging schedules, training, managing and terminating workers; problem solving and conflict resolution.
- Training employers on the material contained in this handbook (*Self-Direct With Employer Authority option Employer Handbook*).
- Day-to-day management of the participant's self directed services budget.
- Developing emergency back-up plans for self directed services to prevent safety issues or crises.
- Identifying and obtaining self-directed services, supports, and resources.
- Recognizing and reporting of critical incidents such as abuse or neglect.
- Exercising independent self-advocacy.
- Developing and maintaining appropriate service documentation.
- Completing required forms (ex. fiscal agent documents, progress notes, timesheets, employee records) for participation in the Self-Direct with Employer Authority option. When needed, assist in the process for completing employee documentation (ex. developing a job description, task list, and work schedule for employees.)
- Ensuring that all required information is kept up-to-date in the service planning and documentation requirements. See Section II: Service Planning and Documentation Requirements, "Records Maintenance Requirements".

EXAMPLES OF TYPICAL ACTIVITIES OF SUPPORTS BROKERS AND CASE MANAGERS IN SELF-DIRECTED SERVICES

SUPPORTS BROKERS	CASE MANAGERS
<p>May Provide Information to Participants About:</p> <ul style="list-style-type: none"> • The person-centered planning process and how it is applied in Self-direction • The range and scope of individual choices, and options • The process for changing the plan of care and individual budget • Risks and responsibilities associated with self-direction and decision making • Free choice of providers • Individual rights • Self-direction limitations or restrictions • Other subjects in this handbook or otherwise pertinent to the management and directing of self-directed services <p>May Provide Assistance to the Participant With:</p> <ul style="list-style-type: none"> • Defining goals, needs, and preferences • Practical skills training in hiring, arranging schedules, training, managing and terminating workers; problem solving and conflict resolution • Managing the participant's self directed budget • Development of an emergency back-up plan for services which are self directed • Identifying and obtaining self-directed services, supports, and resources • Recognizing and reporting of critical incidents such as abuse or neglect • Independent advocacy • Other areas in this handbook or otherwise related to managing self directed services and supports. • Developing and maintaining appropriate documentation. 	<p>Provides Assistance With:</p> <ul style="list-style-type: none"> • The program process of determining and reassessing eligibility for services • Crisis intervention and management for participants <p>Provides Information about:</p> <ul style="list-style-type: none"> • Various settings for service delivery: facility-based, congregate care, community based, personal home • Service options: traditional agency based, self-directed with agency support, self-directed with employer authority <p>Completes Tasks:</p> <ul style="list-style-type: none"> • Comprehensive initial and periodic reassessment of participant to determine needs including taking client history, gathering information from a wide range of sources • MONA assessments for evaluation of service levels when significant changes occur. • Development and periodic revision of the Plan of Care, specifying outcomes based on assessment of needs, ensuring active participation of the participant and others. • Referrals to link participant with providers or other programs and services and assisting in scheduling those appointments for the participant. • Monitoring and follow-up of activities through personal contact with the participant, family, providers, or other entities as frequently as necessary to ensure implementation and adequacy of supports and services in accordance with the Plan of Care. • Development and monitoring of cost plan and individual budgets • Coordination of information sharing regarding the participant with appropriate entities.

How Does a Person Become a Supports Broker?

A person providing Supports Broker services must be a minimum of 18 years old and pass a criminal background check prior to employment as a Supports Broker. Persons excluded from providing paid Supports Brokerage to a participant include:

- parents, spouses, or legal guardians of the participant;
- persons who work for an agency providing other paid supports to the participant;
- persons who function as conservator, payee or who have any other fiduciary responsibilities for the participant.

A person functioning as a Supports Broker must be able to demonstrate competence in abuse reporting, incident reporting, client rights, client confidentiality, fiscal agent service forms and billing procedures, scheduling of direct support workers, on-call and emergency back-up support models, person centered planning, individualized budgeting, recruitment, hiring and firing of direct support workers, the grievance/fair hearing process, negotiating service rates, DDP funded service options, and other skills and competencies as required by the DDP. These areas are covered in the College of Direct Support courses and the Support Broker Certification training.

A person wishing to meet the qualifications must complete and maintain Supports Broker Certification through training provided by the Developmental Disabilities Program (DDP). The person wishing to be a certified Supports Broker must pass an initial qualifying examination, and will periodically require recertification. Costs for the attendee's food, travel, and lodging are not reimbursable through the participant's waiver cost plan. There is no fee to attend the training classes and enrollment is open to anyone. A list of Certified Support Brokers is available on the Developmental Disabilities Program website at <http://www.dphhs.mt.gov/dsd/ddp/selfdirection.shtml>.

Supports Broker duties may be provided by an unpaid person if they complete and maintain Supports Broker Certification by passing the certification test. The person wishing to be a non paid certified Supports Broker must pass the initial qualifying examination, and will periodically require recertification.

Fiscal Agents

When the participant chooses Self Direct with Employer Authority, they will be required to use the services of a fiscal agent.

The Fiscal Agent acts on behalf of the employer and assists them in managing some of the financial and tax responsibilities associated with being an employer. The fiscal agent does not participate in decision-making regarding the use of the funds received in the participant's cost plan and is not the legally responsible employer.

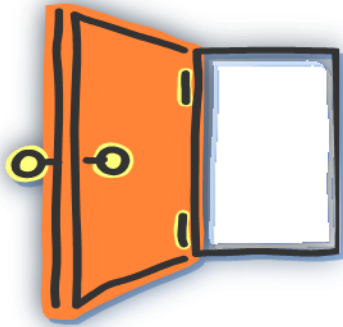
The fiscal agent:

- Processes financial matters for the employer self-directing services with Employer Authority;
- Receives and processes invoices, payroll, and distributes paychecks to employees and reimbursements for items;
- Processes required withholdings from employee payroll and mandated employment-related state and federal taxes for the employer;
- Verifies that fiscal agent employment-related paperwork is completed correctly;
- Notifies the employer if there are any errors which prevent employees' paperwork from being processed;
- Ensures that employees meet the qualifications for hire, including passing the criminal back-ground check and notify the employer when potential employees are ready to start working;
- Sends the employer payroll and spending reports every time payroll is processed.
- Provides workers' compensation insurance to all employees.

The employer must not allow any potential employee to begin working until the fiscal agent notifies the employer that each potential employee is cleared to work. It will take the fiscal agent a few days to process the employees' required paperwork. If the employer does not receive notification from the fiscal agent within a week, they should contact their Supports Broker or the fiscal agent.

It is important that the employer submit correctly completed forms to the fiscal agent in a timely manner to prevent any delays.

The employer should review each payroll report upon receipt to make sure that funds have been spent in a manner consistent with the submitted timesheets. Any differences in the payroll report should be reported to the fiscal agent. If the employer does not receive a report at the end of each payroll, they should contact their Supports Broker or the fiscal agent.



Exit From Self-Direct with Employer Authority Option

Voluntary Exit

The participant may choose to leave the Self-Direct Employer with Authority option at **any time**. The participant will need to contact his/her case manager so that arrangements can be made to assist the participant with transitioning to a provider agency. The case manager will provide the team with a list of agencies so the participant and team can agree on a qualified provider in his/her area.

In accordance to the porting policy, participants switching services from a traditional qualified provider agency back to Self Direction may be required to wait up to 90 days (3 months) before returning to the Self-Direct with Employer Authority option.

Involuntary Exit

The participant's plan of care includes advance notice that participation in self-direction may be ended in certain cases. When the participant, the participant's family and/or the participant's representative signs the cover page of the plan of care document, it indicates the participant understands, and agrees with, the need to comply with DDP requirements for participation in self-direction services. The Case Manager will review this section annually with the participant, family members, guardians, designated representatives and the other planning team members if one or more services are self directed.

A person who cannot or will not meet the requirements for participating in the Self-Direction with Employer Authority option despite reasonable efforts to ensure success will be considered for involuntary exit. If this occurs, agency-based services may be made available to the participant.

Involuntary exit procedures are discussed in this section. Events meeting Montana Developmental Disabilities Program criteria for “involuntary exit” from Self-Direction with Employer Authority are identified as:

- Immediate health and safety concerns
- Maltreatment of participants
- Suspected misuse of participant funds and resources (Medicaid Fraud)
- Failure to implement the approved support plan or comply with Self-Direction with Employer Authority requirements despite reasonable efforts to provide additional assistance and support as described below.

(All criteria are explained in more detail below)

The following definitions and procedures should be used to provide direction to planning teams and Regional Office staff in carrying out decisions related to involuntary exits.

“Involuntary Exit” means only the Self-Direction with Employer Authority option is terminated. The participant still has a choice of Self-Direction Agency with Choice or traditional waiver services. Involuntary exit from Self-Direction with Employer Authority option is NOT subject to the Fair Hearing process since other service options are still available.

“Planning Team” In cases where the participant is being considered for involuntary exit, the planning team MUST include the Quality Improvement Specialist, the participant and Case Manager, and will also include the designated representative, guardian and Supports Broker if the participant has these persons supporting him/her.

“Immediate Concern” is:

- Any matter jeopardizing health and safety
- Evidence of unreported misuse of participant funds or resources (fraud)
- Maltreatment of the participant
- Unapproved expenditures.

“Misuse of Participant Funds or Resources” means when the cost plan is billed for services or supplies that are never received, not approved as eligible for payment under the current plan of care, or misused by providers of services to their benefit. This definition also includes exploitation of participants by

caregivers. Examples may include billing for services not provided, billing for hours not worked, purchase of goods or services for the use of other persons than the participant. This can be considered as **Medicaid Fraud**.

“Failure to Implement Approved Plan of Care or Comply with Self-Direction with Employer Authority Requirements” means the failure of the participant or his/her guardian or representative to follow through on the agreements made in the plan of care or the requirements of self-direction with Employer Authority. Examples may include failure to report serious incidents, failure to ensure that services and supports are provided in a timely manner, failure to comply with documentation and audit requirements.

“Additional Assistance & Support” means the actions and resources needed to assist the participant who continues to have difficulty meeting the requirements of Self-Direction with Employer Authority. This could include naming a representative or provision of a Supports Broker in cases in which the participant does not have these supports, as well as additional training or monitoring. This is assistance and support beyond that provided to all participants who self-direct with Employer Authority.

“Reasonable Efforts” is defined as documented instances of identified need as determined by the planning team for additional assistance and support. The documentation must include:

- Identification of the problem
- Corrective action needed
- A timeline in which to accomplish the action or change.

Procedures Related to Involuntary Exits

When areas of “immediate concern” arise the planning team will meet within five (5) working days to consider the need for corrective action which may include additional assistance and support. Immediate action such as exiting the participant from Self-Direction with Employer Authority may be implemented to prevent harm.

In the event that the planning team discovers evidence that meets the criteria for consideration of involuntary termination of Self-Direction with Employer Authority, the following steps will be completed to develop alternative service delivery:

- The Case Manager or Fiscal Agent receives or discovers unreported misuse of funds or resources, or an event determined by the planning

team requiring corrective action occurs. In cases involving immediate risk of harm, the person may be exited immediately and be provided necessary supports to ensure safety.

- The Case Manager reports health, safety or abuse concerns to appropriate agencies such as Adult Protective or Child Protective Services. The Case Manager reports suspected misuse of participant funds or resources to the Quality Improvement Specialist (QIS).
- The planning team meets within five (5) working days to review the events requiring corrective action. A determination is made regarding appropriate actions to be taken to correct the situation up to termination of participation in self-direction with Employer Authority.
- If the determination is made to involuntarily exit the person from self-directing with Employer Authority, written notice is sent informing participant. The Plan of Care is updated with the goal of retaining as many aspects of the person centered plan as feasible to reflect any needed changes to backup or emergency plans, as well as services approved and desired participant outcomes.

Additional Assistance and Support

The Developmental Disabilities Program ensures that information and assistance is available to support participants to be successful as the Employer Authority. The participant is encouraged to seek assistance to resolve problems in plan implementation or service management without consequence. Participants, their guardian, and representatives have Supports Broker services available under the waiver as well as the assistance of their Case Manager in obtaining training and support in following through with responsibilities as the employer.

However, specific ongoing problems indicating a participant's need for additional assistance and support could be discovered by or reported to the Case Manager, or difficulties could be discovered during quality assurance monitoring or service audits. A person may be the subject of a maltreatment report, or difficulties may be reported by the Fiscal Agent regarding reimbursement issues.

While not an inclusive list, the matters below would indicate a need for additional assistance and support.

- Not spending enough for services needed to support health and safety without a reasonable explanation
- Over-spending at a rate that suggests the plan will not be sustainable over the service plan year

- On-going difficulty in arranging for services needed for health and safety
- Unapproved expenditures
- Failure to respond to notices requesting missing information or notifications from the Fiscal Agent.
- Not implementing the IFSP/PSP as approved.
- Failure to provide documentation of services received to appropriate entities.

Each discovery of non-compliance with the plan of care that requires a corrective action will result in a meeting of the planning team and be documented in the meeting notes. These notes will be sent to the team members.

Reported Misuse of Participant Funds or Resources

Recognizing that some participants may be vulnerable and may need assistance in the event of threat or coercion from their direct support worker or others, the process for involuntary exit from Self-Direction with Employer Authority must account for the timely reporting of misuse of participant funds and resources in the presence of coercion. Direct support workers can hold a great deal of power over people with needs for that support, so policy must allow people to act as needed to avoid negative consequences in the short run.

For example, someone may be asked to sign a false timesheet, and feel they must wait until the next worker comes on duty to report the matter in a timely fashion to their Case Manager. A participant cannot be expected to directly confront someone on whom they are dependent.

Those participants who report such events and seek appropriate help in a timely manner, and who are not willing participants in misuse of funds and resources, are considered in compliance with requirements and are not subject to involuntary exit.

Unreported Misuse of Participant Funds and Resources

If, however, the participant failed to report an incident as described above in a timely manner, the incident would be considered unreported misuse of funds and resources and would be cause for consideration of involuntary exit.

These actions would not necessarily prevent the participant from future Self-Direction with Employer Authority. Consideration of the safety and welfare of the participant by the planning team and needed supports to protect the

participant from future risk would need to be established prior to continuation in, or reinstatement of, the Employer Authority option.

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Service Planning

The amount of services the participant requires is documented through a **Plan of Care**. The Plan of Care is developed using a person-centered planning process involving the participant, his/her case manager; his/her authorized representative, and others who the participant wishes to be involved. This group is referred to as the **planning team**. The Plan of Care is developed and updated each year by the planning team to determine:

- The participant's needs and the types of actions and supports required to meet those needs;
- The amount of time, frequency, and duration required for delivery of his/her services;
- The participant's personal outcomes, or goals, and the strategies to help the participant achieve or maintain his/her personal outcomes; and
- The people who will assist the participant in meeting his/her personal outcomes.

On an **annual** basis, the planning team will meet to review and revise the participant's Plan of Care and back-up plan for the upcoming service year. The Case Manager must also submit the participant's Individual Cost Plan (ICP) to the Regional Office for approval. These criteria are required for every person receiving services, and are not specific to participants wishing to enroll in the Self Direct Employer Authority option.

Modifications/Revisions to the Plan of Care

The participant or his/her authorized representative may request modifications/revisions to their Plan of Care by contacting the participant's Case Manager.

If there is an emergency situation, then the participant must notify his/her case manager as soon as possible so that arrangements can be made to modify their Plan of Care. Remember, the participant cannot put in place any changes to his/her Plan of Care without the prior approval of the Case Manager or Quality Improvement Specialist.



Cost Plans

The participant's individual cost plan (ICP) is based on the assessed needs documented in their IFSP/PSP (plan of care). The cost plan details the services and budget necessary as outlined in the plan of care and is approved by the DDP Regional Manager.

Remember, the participant as the employer is responsible for keeping track of the budget available for use in the Self-Direct With Employer Authority option. The employer should never ask employees to work more than the maximum budget approved in the participants ICP. If the employee does this, then the employer will personally be responsible to pay for the extra hours.

The budget report provided by the fiscal agent will let the employer know how much of the budget the participant has used. When in doubt, the participant or employer should contact their Support Broker or Case Manager for assistance.

Like the plan of care, the cost plan can be updated as needs change. However, any change to the cost plan should be the result of an update to the Plan of Care and is subject to Regional Manager approval.



Back-Up Planning

As the employer hires their primary employees, they must also make arrangements for “back-up” employees to fill in when a regular employee is not available and for emergency situations. The participant’s Supports Broker or possibly Case Manager will assist the participant in developing a back-up plan, which will outline what the participant will do if employees don’t arrive to work as planned.

Back-up employees must complete all of the same paperwork and qualifications as primary employees. Unpaid back-up assistance from family, friends, and others would not require the employee paperwork. If the participant must have services and an employee or unpaid caregiver is not available, the participant may need to include traditional DD agency-based services as part of his/her back-up plan.

The participant’s plan of care must include a functional emergency back-up plan that consists of at least two options assuring that services identified as critical to his/her health and safety are provided as needed when a regular employee is not able to provide these services.

Methods the participant may use for back-up services include:

- Hire and use paid part-time and/or back-up employees.
- Develop options with the participant’s family and friends to use as unpaid resources and supports.
- Connect with other people using the Self-Direct With Employer Authority option who may have employees willing to provide backup services.
- Have an agreement with traditional agency based services.



Self-Directed Waiver Services and Limits

The participant's Case Manager will be able to identify which waiver the person is in and the different options available in each waiver. The following chart lists the services available to self direct with Employer Authority. The participant and his/her planning team will be able to use these categories to identify the service(s) that best meets their needs and preferences.

Each of those services has specific definitions and activities that are allowed to be reimbursed. Services provided by direct staff also have requirements and qualifications that they have to meet to provide that service. All of these details are listed in each Waiver. Questions regarding these details should be directed at the participant's Case Manager.

When the participant chooses to self direct a service, the participant/employer are agreeing to meet all of the requirements of that service, including the service description, qualifications of all persons providing the service, and documentation requirements.

Services available to Self Direct with Employer Authority are listed on the following page:

Services available to self direct with Employer Authority:

0208 Comprehensive Waiver	0371 Community Supports Waiver	0667 Children's Autism Waiver
Supports Broker	Supports Broker	Respite
Personal Supports	Personal Supports	Transportation of participant while providing respite
Respite	Respite	
Environmental Modifications/ Adaptive Equipment	Environmental Modifications/ Adaptive Equipment/ Specialized Medical Equipment	
Individual Goods and Services	Individual Goods and Services	
Personal Emergency Response System (PERS)	Personal Emergency Response System (PERS)	
Meals	Educational Services	
Community Transition Services	Health/Health Maintenance/ Safety Supports	
Transportation of participant while providing direct services	Transportation of participant while providing direct services	

**For complete descriptions of the waiver services click on <http://www.dphhs.mt.gov/dsd/ddp/medicaidwaivers.shtml> . Then click on the appropriate waiver : [Children's Autism Waiver MT.0667.R00.00](#) , [MT 0208.90.R04.02 Waiver](#), [MT 0371 Community Supports Waiver](#) . After you click on the appropriate waiver, go to Appendix C on the screen and scroll to the service name you are wishing to learn more about.



Service Documentation & Reporting Requirements

Delivery of Services

Participants self-directing with Employer Authority are required to keep documentation of service delivery. There is no specified format, but the records must be legible and must verify that the service was provided.

The records which document services are usually referred to as progress notes. Progress notes are summary notes which must be completed by the participant's employees describing the day-to-day activities and progress toward achieving the participant's personal outcomes, as identified in their approved plan of care.

Progress notes must be complete and include enough information:

- To describe the participant's activities, procedures used with the participant, and incidents that happen during the employee's shift,
- To give a clear picture of the service provided to the participant,
- To show progress towards the participant's personal outcomes,
- To record any changes in the participant's medical condition, behavior, or home situation which may indicate a need for reassessment and plan of care change,
- To explain each entry on the staff's timesheet, and
- To document any changes or deviations from the schedules in the participant's approved plan of care.

The following are examples of general terms, when used alone, are **not** enough and do not provide adequate information for progress notes:

- "Supported (participant's name)_____"
- "Assisted _(participant's name)____"
- "_(participant's name)___ is doing fine"

- “(participant’s name)___ had a good day”
- “Prepared meals”

All progress notes must be easily understood, written in ink, and include:

- The name of the person making the entry,
- The title of the person making the entry,
- A legible signature of the person making the entry,
- The full date of documentation and
- Service provided

The Support Broker can help train employees about adequate notes. Progress notes do **not** need to be submitted to the fiscal agent; however, the participant’s case manager will routinely review notes to monitor how the participant is progressing towards their personal outcomes. In addition, all participants receiving waiver services are subject to periodic audits and documentation ensuring that services are provided as outlined in the participant’s plan of care will be required. A sample is located in Section VII – Appendix E-5 in the back of this handbook.

All documents that record information about the participant are confidential and covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA, Title II). These documents must be stored and used in a way that protects the participant’s privacy and his/her right to keep personal information confidential. The participant and/or employer must have a system to store records so that they remain private. The participant’s employees must also understand that they will be held accountable for keeping personal information confidential.

Incident Management Documentation and Reporting

Participants self-directing with Employer Authority must comply with the DDP Incident Management Policy. Incident Reports must be completed for all critical incidents as outlined in the DDP Incident Management Policy.

Portions of the Incident Management Policy relevant to persons self-directing services can be found in **Section VII – Appendices – Incident Management Policy Information** of this handbook. Definitions of critical incidents and reporting requirements can be found in these appendices. The entire Incident Management Policy is at: www.dphhs.mt.gov/dsd/ddp/policiesprocedures.shtml and click on “Incident Management Policy”.

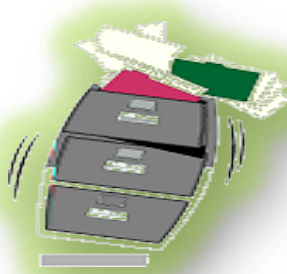
Although some events might not require formal reporting, documenting changes in participant behavior, unusual events, changes in the condition of the living environment, and other information is just as helpful in recognizing patterns of concern.

The required Incident Report form that must be used is also included in Appendix B-4 at the end of this handbook. Remember, your Support Broker can assist you in understanding the policy, filling out the Incident Report Form, and meeting timelines.

The participant/employer may choose to complete hard-copies of the incident management report form. Upon completion, copies can be faxed to the Self-Directed Services Coordinator at 406-444-0230 or immediately sent to:

Self-Directed Services Coordinator
Developmental Disabilities Program
Department of Public Health and Human Services
111 N. Sanders, PO Box 4210
Helena, Mt 59604

The State of Montana also contracts with THERAP Services, LLC to provide web based documentation and reporting services. The participant, family and planning team may choose to use THERAP software for documentation and incident reporting. The participant/employer will need to have an account set up and training by contacting the Self Directed Services Coordinator. (*see Appendix C for contacts*)



Records Maintenance Requirements

Participants self-directing with Employer Authority are expected to maintain a central records storage area in their home to organize where the participant's active personal information and employee records can be found.

Documentation of services must be maintained separately from employee records. The storage area for active records must contain records for at least the previous three months, but it is recommended that records for the previous year be stored in this area. In addition, archives of older service and employee records must be maintained in a secure storage area. This area may be outside of the employee's home, but the area must be secure and confidential.

Records requirements include the following agreements by the employer and DDP:

1. **Access:** The Montana Developmental Disabilities Program and all applicable local, state, and federal agencies or their representatives must have access to records to inspect, monitor, or evaluate the participant's records, books, and supporting documents that relate to services provided or purchased and compliance with federal and state regulations.
2. **Retention:** The employer must retain most forms while in effect, plus five years after service delivery or termination of the employee, or until all outstanding litigation (lawsuits), claims and audits are resolved. Service records must be maintained for eight (8) years following service delivery.
3. **Maintenance:** Active records must be accessible. Inactive records must be stored and maintained in a secure area to ensure the confidentiality and condition of the records. The stored records must be accessible for inspection. The employer is responsible for adequately maintaining and accessing the records.

4. **Confidentiality:** The employer must not release personnel information about an employee without the employee's written permission. A release signed by the employee would be required to give information to the fiscal agent, federal and state agencies including the participant's case manager and the Developmental Disabilities Program.

Service Records

The records storage area will need to contain all of the necessary and important information about the participant's care, supports, and services. This area is typically organized in a binder or file box in a locked closet or file cabinet.

Service records are confidential healthcare records and are covered by federal HIPAA regulation. Only those persons providing services to the participant and those persons who have a written release to receive service information may see these records.

Documentation required in active Service Records:

- The contact information and phone number for the participant's Case Manager;
- The participant's approved plan of care and any Revisions;
- The past twelve (12) months of progress notes;
- The past three (3) months of budget reports (as provided by the fiscal agent);
- Any critical incident reports;
- Seizure logs, if applicable.

Employee Records

The confidentiality of the participant's employee records is a requirement by law. Employee records must be stored in a locked place (e.g.: locked file cabinet, locked document box, etc.) separate from the participant's service documentation records, and not accessible to staff or persons who are not authorized to view these documents.

Details of the participant's employees' personal information, in particular those related to disciplinary action must remain between the employer and the employee unless the employee has signed a release of information that lists what information the employer can share with others.

Employment records to hire staff must be completed using the official format specified by the fiscal agent. These forms are found in the Start-Up packet which can be obtained from the participant's Case Manager.

Records for former employees must be kept in a secure place for the following minimum time period:

- **Five (5) years** from the date of the last payment, or
- If there is a lawsuit or audit, until the issue or audit is complete.

Documentation required in Current Employee Records:

- The past three (3) months of employee timesheets
- A copy of the Employee's employment documents, which includes the following: Form I-9, Form W-4, Employment Application, Provider Agreement, and photocopy of the employee's Social Security card and ID card.
- Job Description(s) for the participant's employee(s);
- Employee Training documentation (CPR and First Aid certification cards, and record of disability-related training provided to each employee);
- Copy of the employee's license and automobile insurance if they are transporting the participant.

Employee Timesheets

Timesheets must be correctly completed and submitted to the fiscal agent by the payroll due date in order for the participant's employees to be paid on time. Each payroll due date can be found on the payroll schedule in the Start-Up Packet.

Timesheets may be mailed, faxed, or submitted online to the fiscal agent at anytime during the pay period, however they must be sent by the payroll due date. Timesheets sent to the fiscal agent after the payroll due date will be paid in the next payroll.

Timesheets will not be processed by the fiscal agent if required information is missing, such as the employee or personal identification number, service code, dates of services, check-in and check-out times, wage, or employee or employer signature. The fiscal agent will notify the employer of missing information.

The employer is responsible for reviewing every timesheet to ensure that it is filled out completely and accurately. Both the employer and the employee must

sign each timesheet to attest, or agree, that the hours and services recorded on the timesheet were delivered and received in accordance with the participant's approved plan of care. Employers will not sign blank timesheets.

Remember, any time the participant/employer allows an employee to work hours before the employee is cleared by the fiscal agent to work, hours that are not approved in his/her plan of care, and/or which are not in agreement with the service definition and limitations, any of following may occur:

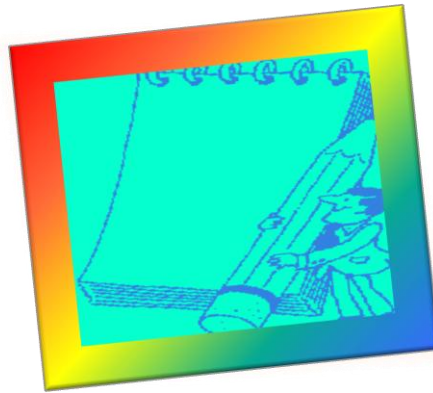
- The employer can be disallowed from serving as the employer of record;
- The participant could be involuntarily terminated from the Self-Direct with Employer Authority option;
- The employer will be responsible for payment out of their own pocket.

Medicaid Fraud

Medicaid fraud is committed when an employer or employee is untruthful regarding services provided or employee hours, in order to obtain improper payment. Medicaid fraud is a felony and conviction can lead to substantial penalties. Additionally, people convicted of Medicaid fraud will be excluded from any employment with a program or facility receiving Medicaid funding.

Examples of Medicaid fraud include:

- Submitting timesheets for services not actually provided (e.g., signing or submitting a timesheet for services which were not actually provided to the participant).
- Submitting timesheets for services provided by a different person (e.g., signing or submitting a timesheet for services provided by a different person than actually provided the service)
- Submitting twice for the same service (e.g., signing or submitting a timesheet for services which were paid for by another source, or signing or submitting two timesheets for the same time worked for payment from one source)
- As required by the State of Montana, suspected cases of fraud will be referred to the Medicaid Fraud Unit at the Department of Justice for further investigation and possible prosecution.



Service Monitoring

The participant's case manager is responsible for ensuring that the information contained in the plan of care is accurate, for tracking ongoing progress of outcomes identified, and obtaining updated information about supports.

Once every quarter the participant's case manager will review the self directed services identified in the plan of care and determine progress on outcomes and identified needs.

Reviewed items may include:

- Determine if the participant's needs are being met through their self directed services;
- Review the information contained in the participant's "Service records" for accuracy and completion;
- Assess the participant's satisfaction with services; and
- Make necessary changes to the participant's plan of care.

The participant's Supports Broker may assist in presenting this information if desired.

The Developmental Disabilities Program requires the case managers for all participants receiving Medicaid services schedule a meeting of each participant's planning team once every 12 months at a minimum, to review outcomes, reassess needs and develop an up to date plan of care document.

Section III: Employee Qualifications

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Who Can Be An Employee?

The participant or representative acting with Employer Authority may employ persons to provide assistance and support. Employees must meet all qualifications identified in the Qualifications and Required Training for Employees (next section) for each of the service(s) they may be delivering.

In general terms, a person who is fiscally responsible for the care of a participant cannot be a paid employee for supporting that individual. Examples of persons with these responsibilities include spouses, parents of minor children, legal guardians with fiscal authority, or representative payees. Services and supports may be provided by a family member or legal guardian if the participant or other designee is the employer. *(Refer to Section I - Determining Who is the Employer)*. Parents or others disallowed from providing paid support to their own family member can provide support to another family/participant in which case they may receive reimbursement.

A person can work at another job (for example at WalMart) and still be a direct service employee in this program. Along the same line, a person can work with several different participants who are self directing with employer authority, however, that person must complete fiscal agent employee paper work for each participant/employer they will be working for. This can allow multiple employees to work for multiple participants and for employers to combine and/or create employee pools for service coverage.

A person providing unpaid, natural supports may perform any duty to help meet identified needs on the participant's Plan of Care. Unpaid persons do not have to meet minimum training or other requirements. If any person at any time, will be reimbursed through a cost plan for providing assistance and support, they are subject to the training, qualifications, and other requirements.



Qualifications and Required Training of Employees

All employees the participant hires to provide direct services must meet minimum qualifications established by the waiver for each service.

First Aid Certification

Depending on the service provided, some employees are required to maintain **current** First Aid certification throughout the course of their employment. If the participant's employees' First Aid certification expires, then they may not be paid for providing services to the participant under the Self-Direct with Employer Authority option. Resources for training are listed in Appendix D at the end of this handbook.

College of Direct Support (CDS)

Depending on the service provided, some employees are required to complete training modules in the College of Direct Support (CDS). This is on-line training (there is no fee to the employer or the employee) and can be completed through any computer with internet access. Contact the Developmental Disabilities Training and Development Specialist or Self Directed Services Coordinator (*listed in Appendices*) for assistance in accessing this website and setting up employees.

Other useful information and subject matter is also available in the College of Direct Support. Employers may look at the CDS training list and consider other courses they want their employees to complete. Any training offered through CDS can be accessed by the employer and employees at no cost. Contact the DDP Training and Development Specialist for more information (*listed in Appendices*).

Remember, it is the participant's/employer's responsibility to ensure that employees maintain the appropriate training certifications. A copy of the each employee's current training certification card(s) must be on file with the Fiscal Agent within 30 days of hire for the employees to continue to be paid for providing services to the participant.

Required College of Direct Supports Training for Direct Service Employees

SAFETY AT HOME AND IN THE COMMUNITY

- Risks, Choice and Common Sense
- Fire Safety
- Responding to Emergencies

MALTREATMENT

- Defining Abuse, Neglect and Exploitation
- Preventing Abuse, Neglect and Exploitation
- Reporting Abuse, Neglect and Exploitation
- Documenting Abuse, Neglect and Exploitation

INDIVIDUAL RIGHTS AND CHOICE

- Restrictions of Individual Rights
- Your Role in Supporting Expression of Rights and Facilitating Choice

DOCUMENTATION

- Effective Documentation
- Confidentiality in Documentation

Employees providing services to the participant should be aware of how to use emergency assistance systems and be:

- knowledgeable of the participant's physical and mental conditions;
- knowledgeable of the participant's common medications and related conditions

The participant's employees should be competent in understanding rules, policies and procedures that include, but are not limited to, how to:

- protect the participant's health and safety;
- protect the participant's individual rights;
- follow reporting procedures;
- recognize and prevent abuse, neglect and exploitation;
- apply training techniques; and
- safely manage their own and the participant's behavior.

(These are accomplished through a combination of the CDS training and training from the employer, with possible assistance from the Support Broker)

The participant, the participant's representative or family can also require other qualifications. For example, the participant may require knowledge of sign language, or the ability to prepare special diets.

Specific Staff Qualifications for each service:

Respite:

Staff qualifications and conditions of self direct service delivery:

- Must be a minimum of 16 years of age
- Not required to pass a criminal background check when employed by participant, family or guardian.
- For participants under 18 years old may be provided by the participant's relatives, but may NOT be provided by the parents/legal guardian.
- For participants over 18 years old may be provided by the participant's parent or relatives, but may NOT be provided by the participant's primary caregiver, spouse or a legally, fiscally responsible person.
- Must be knowledgeable of the physical and mental conditions of the recipient;
- Knowledgeable of the common medications and related conditions of the recipient; and
- Capable of administering basic first aid.
- If providing transportation to the participant, the employee must have:
 - a. A valid Montana driver's license;
 - b. Adequate automobile insurance as determined by the department;
 - c. Assurance of vehicle compliance with all applicable federal, state and local laws and regulations.

Personal Supports:

Staff qualifications and conditions of self direct service delivery:

- Must be a minimum of 18 years of age
- Must pass a criminal background check
- Must receive in-service training in abuse reporting, incident reporting, client rights, client confidentiality, service documentation requirements, first aid, and other identified needs.
- For participants under 18 years old may be provided by the participant's relatives, but may NOT be provided by the parents/legal guardian.
- For participants over 18 years old may be provided by the participant's parent or relatives, but may NOT be provided by the spouse or a legally fiscally responsible person.
- If providing transportation to the participant, the employee must have:
 - a. A valid Montana driver's license;
 - b. Adequate automobile insurance as determined by the department;
 - c. Assurance of vehicle compliance with all applicable federal, state and local laws and regulations

Supports Broker:

Staff qualifications and conditions of self direct service delivery:

- May be provided by a person the participant, the participant's family or representative has hired or
- May be provided by an agency contracting with DDP to provide this service. The participant's parents, spouse, legal guardian or employees of agencies providing other DDP funded services to the participant cannot be hired as the participant's supports broker.
- Any persons who function as the participant's conservator, payee, or who have any other money management responsibilities for the participant cannot be the participant's Supports Broker.
- Must be a minimum of 18 years of age
- Must pass a criminal background check
- Must be certified as Supports Brokers before being hired.
- Must be competent in the areas of:
 - ✓ abuse reporting,
 - ✓ incident reporting,
 - ✓ client rights,
 - ✓ client confidentiality,
 - ✓ fiscal management service forms and billing procedures,
 - ✓ scheduling of direct service workers,
 - ✓ on call and emergency back-up support models,
 - ✓ person centered planning,
 - ✓ individualized budgeting,

- ✓ recruitment, hiring and firing of direct support workers,
- ✓ the grievance/fair hearing process,
- ✓ negotiating service rates,
- ✓ DDP funded service options,
- ✓ other skills and competencies as required by DDP and DPHHS.
- Must maintain certification in accordance with DDP requirements.



Criminal Convictions Background Check

A criminal conviction background check must be obtained and verified by the fiscal agent before the participant can hire a potential employee, except when the staff will only be providing respite services. This check provides assurance that employees do not have a criminal convictions history that would prevent them from working in a Medicaid funded program. The applicant must authorize the fiscal agent to access his/her criminal convictions history through the “*Employee Agreement Form*” found in the Start-Up Packet.

The fiscal agent will notify the participant/employer once the applicant is cleared for hire. It will take the fiscal agent approximately four (4) business days to process the criminal conviction history check. If the participant does not receive the results within this timeframe they should notify the fiscal agent.

Some criminal convictions prevent employment as a paid employee. If there is a criminal conviction that does not prevent employment, the participant/employer will be given a choice if they still want the applicant working with the participant. If the participant/employer decides that they still want to hire the applicant then they must complete a “*Criminal Background Check History Acknowledgement and Waiver*” form (provided by the fiscal agent) to acknowledge that the employer has been informed of the applicant’s criminal conviction and still wants to hire him/her. The completed form must be signed by the participant/employer, and submitted to the fiscal agent before an applicant will be cleared to work with the participant.

Note: Eligibility for a former employee must be re-established based on the date he/she is re-applying for employment. Qualifications must be confirmed and current as if the former employee had never worked for the employer before.

Criminal Offenses Prohibiting Employment

A participant may not be employed if he/she has been convicted of a felony offense listed below:

HOMICIDE

1. deliberate homicide
2. mitigated deliberate homicide

ASSAULT

1. assault
2. aggravated assault
3. intimidation
4. mistreating prisoners
5. partner or family member assault
6. criminal endangerment
7. assault on peace officer or judicial officer
8. assault on minor
9. assault with a weapon
10. stalking
11. malicious intimidation or harassment relating to civil or human rights

KIDNAPPING

1. kidnapping
2. aggravated kidnapping

SEXUAL CRIMES

1. sexual assault
2. sexual intercourse without consent
3. deviate sexual conduct
4. incest

OFFENSES AGAINST THE FAMILY

1. aggravated promotion of prostitution
2. endangering welfare of children
3. unlawful transactions with children
4. sexual abuse of children
5. ritual abuse of minor

ARSON

OFFENSIVE, INDECENT, AND INHUMANE CONDUCT

1. cruelty to animals

WEAPONS

1. carrying concealed weapons
2. carrying a concealed weapon while under the influence
3. carrying concealed weapon in prohibited place
4. possession of a destructive device
5. firing firearms

OFFENSES INVOLVING DANGEROUS DRUGS

1. criminal distribution of dangerous drugs
2. criminal possession with intent to distribute
3. criminal distribution of dangerous drugs on or near school property
4. criminal production or manufacture of dangerous drugs

THEFT/FRAUD

PRE-RELEASE WORKERS

Effective 8/1/06, participants in pre-release programs are not eligible to be considered for employment in agencies funded by the Developmental Disabilities Program

Section IV: Recruiting, Interviewing, and Hiring Applicants

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Information in this section is excerpted from:

Recruiting, Managing, and Training of Personal Assistants: A Handbook for People with Disabilities by the Coalition of Texans with Disabilities and the Texas Planning Council for Developmental Disabilities

For detailed Montana Employer information/laws go to: <http://dli.mt.gov/resources/laws.asp>

Job Descriptions

An important key to the participant's success is a specific, easy-to-understand job description for employees. The job description must be consistent with the participants approved plan of care, including the services and duties identified to meet the participant's needs. Service descriptions can be found at: <http://www.dphhs.mt.gov/dsd/ddp/medicaidwaivers.shtml> . Then click on the appropriate waiver : [Children's Autism Waiver MT.0667.R00.00](#) , [MT 0208.90.R04.02 Waiver](#), [MT 0371 Community Supports Waiver](#) . After you click on the appropriate waiver, go to Appendix C on the screen and scroll to the service name you are wishing to learn more about.

Remember, employees are only paid to provide those supports needed to help the participant reach the outcomes approved in the plan of care. Services that do not meet the waiver categories from the plan of care will not be paid under the waiver.

Before talking with prospective employees, the participant/employer should write out a brief description of the job to provide the potential employee with details of what they would be doing to support the participant. A job description is used to define duties and manage the time of the participant's employees. It is not meant to replace any training or specific directions but is useful in deciding what training an employee will receive. The job description should be ready to hand out when a possible employee is interviewed.

The following are some reasons why it is important to have a job description:

- The participant/employer will have identified exactly what supports he/she needs from the staff.
- It can be used to help develop questions when the employer interviews applicants.
- It gives applicants a clear idea of what the position requires.
- After the employee has been hired, it may serve as a checklist of duties.

- It may be used as a way to evaluate the employee's job performance.
- It will help the employer know what is and what is not okay to ask the employee to do.
- It may help settle disagreements between the employer and the employee about the duties of the job.
- It helps keep the lines of communication open.

A job description should include the anticipated days and times the participant wants the employee to report to work, the employee's duties (including the assistance the participant needs in reaching personal outcomes as identified in the approved plan of care), and any special requirements the employer has for the employee to meet the participant's needs. An example job description is available in Appendix E-2 at the end of this handbook.



Recruitment and Advertising

Now that the participant/employer has completed the job description, they are ready to recruit and advertise for potential employees. There are many methods of advertising and recruitment that the participant can use when looking for good, dependable employees. Do not discount any possibility. Below are some suggestions for finding prospective employees:

- **Newspaper Advertisements**
Classified ads in newspapers are an efficient method to reach a large audience. Neighborhood newspapers are cheaper than major citywide newspapers, and are good to target potential employees who live closer to his/her home.
- **Local Newsletters**
Sometimes disability and other community organizations and churches will run short ads in their newsletters.
- **Colleges and Universities**
Colleges can be an excellent source for finding employees. Many students are looking for extra income to help them through college. Students that have majors in the area of health and human services are often looking for work experience. To advertise a position, contact the career placement office or the student housing office on campus. The participant might also try health related education departments such as physical therapy, occupational therapy, and nursing.
- **Word of Mouth**
Don't forget to ask family, friends and neighbors if they, or if they know of anyone who would make a good employee for the participant. Let them know what qualifications the participant are looking for, and ask them to tell others about the position, too.
- **Local Agencies**
Social service organizations often keep a registry or list of direct service

workers who may have received some basic training or have work experience.

- **Bulletin Boards in High Traffic Areas**
Hang flyers on bulletin boards in high traffic areas, such as: grocery stores, banks, apartment buildings, restaurants, community centers, and churches.
- **Local Employment Offices/Rehabilitation Agencies**
One source often overlooked is rehabilitation agencies. Talk to their staff, hang flyers, and get the word out.
- **Networking**
Exchange of information, names, resources, and services among and between other participants/employers who are self directing with employer authority. Web applications such as Facebook or Twitter could be useful tools to share information.

Contents of an Advertisement

The more complete the information in the advertisement, the more the participant can be sure that the prospects that contact the participant are truly interested, and potentially qualified for the job. It is a good idea to include:

1. The participant's first name (It is recommended **NOT** to use the participant's last name.)
2. Job title and a short description of the job
3. Phone number

Helpful information the participant may include:

1. Hours
2. Qualifications required
3. Compensation and benefits offered
4. General Location

It is **not** a good idea to include the participant's address or other private information in the advertisement.

The participant/employer may want to have the first meeting with an applicant in a public place rather than in his/her home.

The following is a sample advertisement that the participant/employer can use as a guide:

Personal Supports Worker - Needed to assist male with physical disabilities needing supports in the areas of personal care, shopping, and light housekeeping in the Helena area. Part-time, 4 days/week. Flexible schedule available. Drivers license preferred. This is an ideal position for a college student. \$____/hr. Call (406) 111-1111 evenings for more information.

To ensure consistency, it's recommended that applicants fill out a job application. A sample Job Application is at the end of this handbook in Appendix E-1, or in the fiscal agent Start-Up packet.



Screening Applicants

The Initial Telephone Contact

Give a brief description of the duties of the position, amount of hours the job requires, and the amount and method of pay and any benefits the participant will be providing.

If the applicant is interested, ask applicable questions, and record answers:

- Will the applicant give me his/her name, phone where the participant can be reached, and address?
- What days/hours is the applicant available to work? Does the applicant have any times when he/she is more/less available that I need to consider? Are there days the applicant definitely cannot work?
- Have the applicant ever assisted or worked for a person with a disability before? (If yes) Tell me a little about the kinds of tasks the applicant performed.
- Does the applicant have reliable transportation?
- Is the applicant at least the age required for the service and does the applicant have a valid Social Security number?
- Is the applicant allergic to pets? (If the participant has a pet in his/her home)
- Are there tasks the applicant objects to performing (i.e. bathing, toileting, and dressing)?
- Does the applicant have any experience in lifting, transferring, and positioning? (If the participant needs assistance with these activities)
- Can the applicant cook and would the applicant mind doing housework?

Tell the applicant the employer will call back to make an appointment for an interview (if the employer is interested in a face-to-face interview).

Even if the applicant is unsuitable for the job, always thank them for their interest.



Conducting an Interview

The Personal Interview:

Call those applicants that appeared to be good prospects and schedule each for a face-to-face interview. When scheduling the interview, the employer may consider meeting at a "neutral" location outside of his/her home for personal safety purposes. Allow plenty of time between each interview.

The interview is important because this is the time when the employer lets the applicant know about the job in detail and gathers information about the person that the employer may hire as an employee. Consider asking a friend or family member to join the participant so that the employer can compare his/her assessments of the applicant.

Ask the applicant to bring:

1. A Montana Identification Card or Drivers License, Social Security card,
2. Proof of automobile insurance (if the applicant will be driving their own car as part of the job),
3. Names and numbers of at least three (3) references, and
4. Proof of address when the applicant comes for an interview.

When the applicant arrives there are a few suggestions that can make the interview successful. Some things may need to be repeated from the telephone contact for clarification purposes:

- Help the applicant feel as comfortable as possible, and get to know each other a little.
- Tell the applicant about the participant's disability in general. The employer will speak more in specifics during training if the applicant is hired.

- Ask the applicant to see his/her identification. Examples include a valid Montana Drivers License or Identification Card with a picture, and Social Security card.
- Ask the applicant to fill out an employment application. Employment applications are useful because they are a good way to keep up with the applicants that the employer has interviewed. They also simplify record keeping and are an easy way to have quick access to the information the employer will need to make a final decision. It will give the employer good information to ask questions about during the interview as well as provide a good resource for back-up or substitute workers if the participant's regular employee is unable to get to work.
- Give him/her a copy of the job description to read and explain the duties and responsibilities of the job thoroughly. Ask if he/she can safely perform the functions of the job (i.e. lifting, transferring, etc.).
- Ask the applicant to tell the employer about him/herself. Be sure to ask questions about past work history, reasons for leaving other employment, any past experience with personal assistance, and why they are interested in this position. Ask if the participant may contact former employers for a job reference. Ask about their career goals and why they are pursuing this type of work.
- Describe the work schedule, pay method, any benefits and leave plan, and the employer's method of evaluating an employee.
- Give the applicant an opportunity to ask questions.

Tell the applicant the employer will call as soon as a decision is made. (Be sure to contact the applicant even if the employer decides not to hire him/her). Thank them for their interest and time.

Sample Questions for a Face-to-Face Interview with an Applicant

The following are a few sample questions the employer can ask during the personal interview to help choose the participant's assistant:

- How far does the applicant live from the job? (Turnover tends to be higher among workers who commute long distances.)
- Has the applicant had any experience giving personal care?
- Tell me how the applicant approaches multiple tasks to ensure that all are performed.
- Is the applicant comfortable performing personal care duties such as bathing and toileting?
- What does the applicant think will be the best and worst part of this job? What did the applicant like best and least about his/her last job?
- What are the applicant's best and worst qualities?

- Why is the applicant interested in being a personal assistant?
- Give me an example of how the applicant has handled disagreements with his/her past employers.
- Describe a hypothetical "scenario," and ask what the applicant would do in that situation.

When interviewing applicants, apply the same standard that is applied to selection of job applications – ask only about things that are directly related to the job requirements for the position under consideration. Do not ask personal questions that do not apply directly to the job requirements. Remember, it is against the law, to discriminate against an applicant because of his/her race, color, religion, gender, sexual orientation, natural origin, or disability. Ask all the applicants the employer interviews the same questions to ensure the employer can compare their responses fairly.

The following are guidelines on what the employer can or cannot ask during an interview:

Subject	Do NOT Ask or Do	May Ask or Do
Marital Status	Is the applicant married? Single? Divorced? Engaged? Separated? Maiden Name?	AFTER hire, marital status for insurance or tax purposes
Children	Does the applicant have children? How old? Who takes care of them? Does the applicant plan to have children?	AFTER hire, number and ages of children for insurance needs only.
Housing	Does the applicant own his/her home? Does the applicant rent? Does the applicant live in an apartment or a house?	If the applicant has no telephone, how can I reach the applicant?
Criminal record	Has the applicant ever been arrested or spent time in jail?	Has the applicant ever been convicted of a serious crime?
Military status	What type of military discharge does the applicant have? In what branch did the participant serve?	Is the applicant a veteran? Does the applicant have job-related military experience?

National origin	Of what country is the applicant citizen? Nationality of his/her parents? Native born or naturalized? What languages does the applicant use?	a Is the applicant a U.S. citizen? If not, does the applicant have the legal right to remain permanently in the U.S?
Age	How old is the applicant?	Is the applicant over 18? AFTER hire, exact age or date of birth can be asked.
Ethnic background	Any questions about ethnic origin are not permitted nor are any comments regarding complexion of color on skin.	
Religion		AFTER hire, the employer may ask about religious observance that may interfere with work.



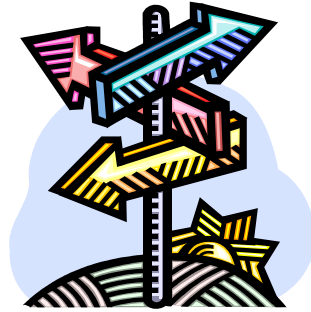
Checking References

Before the employer decides which applicant(s) they want to hire, check their work and personal references. Checking references is essential and can give the employer valuable information about the applicant. Be sure to ask the applicant his/her current employer can be contacted for a reference check.

The employer can ask the following, but the previous employer is not legally required to provide the employer the information:

1. Did (name of applicant) work with the employer during (dates of employment)?
2. What kind of work did he/she do for the employer?
3. Why did (name of applicant) stop working for the employer?
4. Did he/she arrive to work on time?
5. Would the employer hire him/her again?
6. What were his/her strengths?
7. What could have been improved about his/her job performance?

Statistics indicate that if the applicant has held three or more jobs in the last five years, it is a sign they may not last. Be sure to check both work and personal references. A sample reference check form is in Appendix E-4 at the end of this handbook.



Making the Decision

It is important to think carefully about the people that the employer has interviewed. Think about the information the employer received from the interviews and how the applicant responded. How something is said can be as important as what is said. Think about what the references told the employer.

Here are some questions the employer may want to ask him/herself when considering those interviewed:

- Was there anything that stood out in the interviews?
- Did the employer feel comfortable with this person?
- Did the applicant seem uncomfortable about some of the employer's questions? Which ones?

If the employer is having trouble deciding, talk to the Supports Broker or Case Manager. Sometimes talking about things with someone else can help the employer decide which applicant is the best choice.

If the employer has decided on an applicant to hire, contact the potential employee and ask if he/she is still interested in the job. If they are, then ask them to complete the required forms in the Start-Up Packet.

Wait until the fiscal agent notifies the employer that the applicant is clear for hire before allowing the applicant to do any work. The fiscal agent usually notifies the employer of an applicant's eligibility for hire within four (4) business days.

Notify the applicant of his/her **start date**, which can be no earlier than the date the fiscal agent clears the applicant for hire.



Getting Started With/Training New Employees

After the applicant has been cleared for hire by the fiscal agent, he/she may begin working with the participant.

On the employee's first work day, the employer should summarize many of the things discussed during the job interview. The employer will review the authorized tasks that the employee will be doing with the participant, showing them where necessary supplies are kept and how the participant would like things done. The employer will also go over the employee's work schedule so that everyone is clear on what days the employee will be coming, how many hours they will work each day, and the procedure for completing timesheets and progress notes. Then, the employer will want to share all of the information the employee needs to give the best care and protection if an emergency occurs.

Employees need to know the following information:

- Personal information that the staff needs to know about the participant's abilities to perform daily activities;
- Any health issues that will require special actions on the employee's part.
- How to correctly use any special equipment that helps with daily activities or maintains the participant's health.
- Steps in carrying out assigned tasks & procedures;
- Any allergies or special dietary concerns and how the participant would like the employee to respond to these concerns.
- If the participant needs assistance with self-administration of medication.
- Who to contact in case of an emergency.
- How to get out of the house in case of an emergency.
- The best times for the employer and employee to contact each other and the phone numbers where each of the persons can be reached.
- Incident management and reporting;
- Documentation and where to find it;

The employer should be sure that each employee agrees to the following:

- The specific tasks the employee will perform with the participant;
- The hours and days the employee is expected to work and the need for advanced notice to the participant/employer when the employee is unable to work the scheduled hours;
- The rate of pay, pay period, and pay days;
- Overall expectations related to the employee's job performance; and
- Under what conditions the employee may be released or fired from his/her duties.

Tips for Training New Employees

Training is one of the most important parts of managing employees. The participant is the expert in knowing care needs. Even experienced employees need to be trained in how the participant wants things done.

There is more than one way to train employees. Some people will respond well to oral directions while others may respond better to hands-on demonstrations. If the participant is training a new employee, here are things that the participant may want to do:

- Give a lot of examples and explain any technical terms the participant use.
- Talk about any symptoms or health concerns they need to be aware of. Include anything that may arise and how to handle the situation.
- As the participant goes through his/her routine, explain why tasks need to be done. This will help the employee realize the importance of these tasks.
- Provide training on how to operate any life support equipment the participant has. Include how to properly handle and clean this equipment or any other medical supplies the participant uses.
- Ask employee for feedback as things are explained. Maybe there is a way the employer could be clearer in his/her explanations.
- Stress the importance of documentation of tasks and times.

By providing good training up front, the participant may increase the chances of his/her employee being able to be more effective at their job. Taking more time to provide training in the beginning can lead to better overall results. Be patient with employees; learning how to do new things may take awhile. Don't become frustrated if the employee does not catch on right away.

The employer should document all training provided to employees and keep it in each employee's file. Documentation should include the name of the employee, the date(s) the training was provided, and topics covered.

The “*Developmental Disabilities Program Self Directed Services Training Plan Checklist*” is included in the Appendix F of this handbook and will be **required** in plans of care for participants Self Directing with Employer Authority.



Setting Schedules, Pay Rates and Job Duties

Setting Employees' Work Schedule

The participant/employer will set employees' work schedules based on service specifications in the approved Plan of Care and budget. The schedule that is developed should meet the participant's needs and be clear to everyone.

Here are some suggestions, to develop a schedule:

- Schedule employee(s) on a monthly basis. If changes need to happen, there is time to work out the details.
- Post the schedule in at least one place.
- Give a copy of the schedule to employees.
- Give advance notice for schedule changes (both the participant and the employee). For example, if the participant is going on vacation, tell employees ahead of time about the change in the work schedule.

Specify with staff their hours, the number of hours per day, and days per week that the participant expect them to be on the job. Stress the importance of a regular schedule and advanced notice of days or hours they are not available. Stress arriving and leaving on time.

Setting Employees' Hourly Pay Rates & Benefits

The participant/employer will set an hourly pay rate for employees within DDP approved rate guidelines.

Check the "Paying for Your Supports" section in the fiscal agent Start-Up Packet to find out how much the participant/employer can pay employees for each service.

Setting Employees' Specific Tasks

Tasks are activities that employees do to assist the participant in maintaining independence and meeting personal outcomes. Examples of tasks include assistance with bathing, driving, cleaning, and cooking. Remember, employees need to document the tasks they complete on a daily basis.

Tasks can be scheduled on a daily basis and/or on a weekly basis. Here is an example of a morning task schedule:

6:00 – 6:30	Get up; assist with showering, dressing, and brushing hair and teeth
6:45 – 7:15	Make breakfast, assist with eating, clean up dishes
7:15 – 7:45	Assist with toileting, make lunch, and take medications
8:00 – 8:30	Wait and assist with carpool to work.
	Shift done after leaving for work with carpool

Here is an example of a weekly task schedule:

Monday	Daily tasks and pool therapy
Tuesday	Daily tasks, ironing, clean bathrooms
Wednesday	Daily tasks, clean kitchen and refrigerator
Thursday	Daily tasks and pool therapy
Friday	Daily tasks and clean bathroom and living room
Saturday	Daily tasks and laundry
Sunday	Daily tasks, grocery shopping, and errands

Remember, the participant/employer will set specific tasks based on the outcomes and actions, as specified in the approved plan of care. The employee's specific tasks should be listed on his/her job description.

Section V: Managing Employees

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Managing Employees

REMEMBER: The Supports Broker may provide the participant/employer assistance with the functions identified in this section.

Be sure to protect the confidentiality of employee records. Make certain that employee records are stored in a secure place where they are not easily accessed by other people. This can be as simple as a locked file box or file cabinet kept in a closet. Details of disciplinary action must remain between the participant/employer and employee unless the employee has signed a release of information.

Overall Expectations for Employees

It is important for the employer to discuss with employees their expectations, the importance of having open communication, and how the employee's job performance will be evaluated. The participant/employer and the employee will have expectations of each other. The participant/employer should explain how issues will be addressed and resolved and the communication style the participant responds to best. The following open-ended questions are a guide to start the communication process:

Discussions the participant/employer should have with each employee:

1. What the employer expects from the employee.
2. What the employee should expect from the employer.

Issues the participant/employer should address with each employee at the start of employment:

1. Their approach to dealing with problems or issues.
2. The criteria to be used for the employee's performance evaluation.

3. Possible reasons for dismissal from this job (examples: abuse, neglect, exploitation, unexcused absences, etc).

Develop a graduated disciplinary process that both the employer and employee can understand and work with.

Documentation of Management Activities

The participant/employer should document all employee-related issues including:

- Training the employee attends and information the employer gives to the employee.
- Things the employer feels the employee does that are good and notable.
- Problems the employer has with employee's performance and actions and events that may or may not lead to termination of the employee.

It is good management practice for the employer to review all written documentation with the employee. Use the documentation as a way to problem solve with the employee and discuss what they think and how to make the work better.

Documentation of events leading up to termination of an employee is necessary to provide important information:

- If the employee files a wrongful termination complaint with the Montana Department of Labor, the documentation may be required to defend the employer actions in a hearing.
- If the employee files a complaint of discrimination with Montana Department of Labor the documentation may be required to defend the his/her actions in a hearing or a wrongful discharge or discrimination lawsuit.

Details of events leading up to termination of an employee should be documented to prevent misunderstandings and confusion and to document how the participant have tried to resolve the issue.



Conflict Resolution

As with any employment situation, there may be some areas of conflict at times between the participant/employer, and employees. Sometimes conflict is due to poor job performance on the part of the employee. Perhaps the training received did not address procedures and techniques that the employee needs to perform. If the participant/employer suspects this might be the case, focus training on the aspects of the job that are causing the employee difficulty. Many times this "refresher course" will solve what seems to be a serious problem.

Punctuality (arriving on time, following work schedule, doing tasks at specified times) may be a problem for some people. If a pattern begins, talk to the employee as soon as possible and convey the importance of timeliness. Be sure to document all problems and conversations.

There are other times when an employee and employer simply do not get along due to personality differences. Document problems, conversations, training, and other steps used. Before the employer gives up completely on the relationship here are a few suggestions to try to solve the problem:

1. **Keep the lines of communication open.** When a conflict arises, do not shut down. Keep talking, and try to find out the true reasons behind the conflict. The problem will not go away by ignoring it.
2. **Bring in a third person to help settle the conflict.** The Support Broker who is objective and neutral about the situation, can often help with a resolution that both parties can live with.
3. **Look to the employee's written agreement for resolution.** A written agreement helps prevent or clear up disagreements about duties, salary, time off and benefits. This is another good reason to have a clearly written agreement between the employer and his/her employee.
4. **Look for compromise in genuine differences of opinion.**



Termination of Employees

If all else fails the employer may need to take the responsibility of terminating (firing or dismissing) the employee. It may be due to failure to follow safety procedures, chronic lateness, inability to follow directions, or personality conflicts, but whatever the reason, it is never easy to do. The exact method the participant/employer use is up to them.

The employer must notify the fiscal agent whenever an employee is terminated or when an employee stops working for the employer.

It is recommended that the employer make arrangements for back-up coverage prior to terminating an employee.

Below are **suggested** ways to handle the difficult task of terminating an employee:

- Do it in person or over the phone if the participant/employer feels more comfortable with this approach. (The participant/employer may want to have a third party such as the Support Broker or a friend with them when terminating an employee.)
- Do not drag it out, be direct, and come straight to the point.
- Some suggested phrases to use are: "I am sorry, but I do not feel you are appropriate for this job," "You are not fulfilling your job obligations," or "I won't need your services anymore."
- Be sure to have the employee sign his/her current timesheet before leaving. Submit the timesheet to the fiscal agent with termination information. When an employee is terminated, the fiscal agent must process the last paycheck within a certain number of days based on state law.

- If the employee has a key to the participant's residence or anything else (credit cards, ATM card, etc.) that must be returned, be sure to collect the items before the last paycheck is processed.
- The terminated employee may talk to other employees about the situation. The employer must maintain confidentiality related to that employee's issues.
- Analyze what went wrong to avoid similar situations in the future with other employees. Be proactive when similar situations occur with others.

Remember, it is against the law to terminate or lay off an employee because of age, race, religion, gender, sexual orientation, national origin, or disability.



Performance Evaluations

Give employees a copy of the job description when they first start working so they will know the areas in which they will be reviewed. Also let them know if a pay raise is attached to results of their evaluation. The employer should have on-going conversations with each employee so they know if they are meeting the participants/employer's expectations. If there are problems, the participant/employer should address the issues with the employee immediately and document these incidents and any follow up actions.

The participant/employer should be proactive in dealing with employee job performance issues and conflicts. Proactive means to address a situation before it becomes a problem. There should be no negative issues in the performance evaluation that has not already been discussed with the employee.

When the employer meets with an employee for the evaluation, there should be two-way communication – the employer listens to the employee and the employee listens to the employer. Have some ideas of what the employer wants to say in each area of the evaluation but also be prepared to listen to comments from the employee.

It is a good idea to conduct at least an annual evaluation of the employee's job performance.

Sample evaluations the participant/employer can use or adapt for use with the employee are included in Appendix E-3 of this handbook.



Employer Liability

Employees should not be subjected to circumstances that would create a hostile work environment. Such an environment can include many things, but an employee should never be subjected to sexual harassment or belittlement, jokes, or prejudice because of his/her age, race, color, religion, gender, national origin, or disability. In addition, the work environment must be free from recognized hazards that are causing or likely to cause death or physical harm.

The employer retains control over the hiring, training, managing, and firing of employees. The employer is responsible and liable for any negligent acts or omissions by the employee, the participant/employer, the authorized representative, or by other people in the workplace.

Workers compensation insurance is a required part of participation in the Self-Direct with Employer Authority option. Workers compensation insurance covers an employee's on-the-job injury. Upon hire employees are automatically covered by workers compensation insurance.

Remember, employees of participants in the Self-Direct with Employer Authority option are **not** employees of the fiscal agent, or any other state or federal agency.

Section VI: Safety and Welfare

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Protecting Your Property

Following are tips on protecting your property:

To protect your property:

- **Make an inventory.** You should list valuable items, the date of purchase, and the original price. Save receipts and serial numbers if possible. Better yet, take photographs or make a video recording of your valuables. Give a copy of your inventory to your insurance agent, family member, and/or friend; If you have a loss, it will help establish proof of value for filing an insurance claim.
- **Mark valuable items.** Marking things most likely to be stolen like the TV and stereo, will help police trace them and return them to you if they are recovered.
- You may consider purchasing a homeowner's or rental insurance policy to help you recover some of your property in case of fire, flood, theft, or other loss.
- When you must terminate an employee, you may want to:
 - Check your telephone bill and make sure there are no phone calls charged by an ex-employee.
 - Check credit card bills for charges you did not make, and if you allowed your employee to withdraw money with your ATM card, change your PIN number.
- Be sure to get your keys from your employee when you are terminating. Change your locks if the employee does not return your keys.
- If the ex-employee threatens you during the termination conference, be sure to notify your Support Broker or Case Manager of the threat. You may also need to contact the police. You may want to notify neighbors and others that you have terminated the employee and ask them to check on you if they see the ex-employee around your house.